



COMMUNITY DEVELOPMENT COMMISSION

County of Los Angeles

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Gloria Molina
Yvonne Brathwaite Burke
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Don Knabe
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Commissioners

Carlos Jackson

Executive Director

November 3, 2004

Honorable Board of Commissioners
Community Development Commission
County of Los Angeles
383 Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Commissioners:

**APPROVE AMENDMENT TO OWNER PARTICIPATION AGREEMENT WITH
CHARLES R. DREW POST- GRADUATE MEDICAL SCHOOL (2)
(3 Vote)**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Approve Amendment No. 4 to the Owner Participation Agreement (OPA) between the Community Development Commission and Charles R. Drew Post-Graduate Medical School, now known as the Charles R. Drew University of Medicine and Science (Drew), to remove from the OPA the Commission-owned property located at 11835 and 11839 Holmes Avenue in unincorporated Willowbrook (Site).
2. Authorize the Executive Director of the Community Development Commission to execute Amendment No. 4 to the OPA, effective on the date of Board approval.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION:

Removing the 14,366 square foot Site from the OPA will enable the Commission to transfer the Site to the County of Los Angeles for parking for the Martin Luther King, Jr./Charles Drew Medical Center Oasis Clinic (Oasis Clinic), the primary provider of HIV/AIDS care in South Central Los Angeles County.

FISCAL IMPACT/FINANCING:

There is no fiscal impact associated with this action.

ENVIRONMENTAL DOCUMENTATION:

Removal of the above referenced property from the OPA between the Community Development Commission and Charles R. Drew University of Medicine and Science (Drew) is not subject to the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines 15060 (c)(2) because the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS:

On May 22, 1986, your Board approved the OPA between the Commission and Drew to develop certain properties for the expansion of health care facilities located within the boundaries of the Willowbrook Community Redevelopment Project Area.

On October 20, 1988, the OPA was amended to remove a Commission-owned lot to make the lot available to Drew Economic Development Corporation for additional parking required for the Willowbrook Green Housing Development. On December 22, 1992 the OPA was amended to remove a 2.4-acre Commission-owned parcel for the new King-Drew Medical Magnet High School. On May 11, 1999, the third amendment to the OPA removed a 3.2-acre, Commission-owned parcel for development by health care providers who provide services that are compatible with the Martin Luther King, Jr. Hospital Drew, and the King-Drew Medical Magnet High School.

Under the OPA, the Site was part of a larger Commission-owned property that was to be conveyed to Drew for construction of parking and a primary care facility. Due to budgetary constraints and delays caused by changes in the Master Plan for Campus Expansion, Drew is not in a position to open escrow and proceed with development. On October 9, 2004, Drew's Board of Trustee's approved removal of the Site from the OPA.

Amendment No. 4 will remove from the OPA the 14,366 square foot Site, which will then be used as part of the planned relocation of the Oasis Clinic. This proposed use is compatible with the Martin Luther King Jr. Hospital, Drew, and the King-Drew Medical Magnet High School. The Commission will return to your Board at a later date for approval of the transfer of the Site to the County of Los Angeles for the Oasis Clinic project.

Amendment No. 4 has been approved as to form by County Counsel and executed by Drew.

IMPACT ON CURRENT SERVICES:

Amendment No. 4 will enable the Commission to remove the Site from the OPA, enabling future transfer of the Site to the County for parking for the Oasis Clinic. The Oasis Clinic needs additional land to satisfy parking requirements.

Respectfully submitted,

CARLOS JACKSON
Executive Director

Attachment: 2

CF:nc/bl-drewOPA

FOURTH AMENDMENT
TO THE OWNER PARTICIPATION AGREEMENT
WITH CHARLES R. DREW POST-GRADUATE
MEDICAL SCHOOL

This FOURTH AMENDMENT to the Owner Participation Agreement dated May 22, 1986, between the parties hereto (singularly "Participant's OPA"), is entered into this _____ day of _____, 2004, by and between the COMMUNITY DEVELOPMENT COMMISSION OF THE COUNTY OF LOS ANGELES (the "Commission") and the CHARLES R. DREW POST-GRADUATE MEDICAL SCHOOL (the "Participant"), collectively the parties hereto.

RECITALS

- A. WHEREAS, on May 22, 1986, the Board of Commissioners of the Commission ("the Board") approved separate Owner Participation Agreements (collectively OPAs) with the Drew Economic Development Corporation (DEDC) and the Participant for development of sites for expansion of health care facilities located within the boundaries of the Willowbrook Community Redevelopment Project ("the Project"); and
- B. WHEREAS, the original OPAs required the Commission to assemble and clear the sites for subsequent sale and conveyance to DEDC and the Participant (the Project Site); and
- C. WHEREAS, on October 20, 1988, the Board approved Amendment No. 1 to both OPAs to transfer to DEDC a vacant lot (Lot 45) from the Project Site, Phase III, Sales Property, which was deemed necessary based on the County of Los Angeles Regional Planning Department's stipulation that additional land was needed to satisfy parking requirements; and
- D. WHEREAS, on December 22, 1992, the Board approved Amendment No. 2 to the Participant's OPA to exclude Lots 1 through 35 from the Participant's OPA, to enable the lots to be utilized for development of a Medical Magnet High School by the Los Angeles Unified School District (LAUSD); and
- E. WHEREAS, on May 11, 1999, the Board approved Amendment No. 3 to the Participant's OPA to exclude Lots 10-19, 80-89, 111-117 and 178-186 of the South Gate Tract, Map Book 13, Pages 14 and 15, from the Participant's OPA, to enable these portions of the Project Site to be utilized for the development of uses compatible with the existing health care facilities; and

- F. WHEREAS, the Participant does not plan to develop on that portion of the Project Site, more particularly Phase II, Sales Property, as shown on Attachment No. 1 to the OPA, Lots 3 and 4 of Tract No.18356, Map Book 535, Page 17, and agrees to exclude them from the Participant's OPA to enable these portions of the Project Site to be utilized for parking for the Martin Luther King Jr./Charles Drew Medical Center Oasis Clinic, the primary provider of HIV/AIDS care in South Central Los Angeles County, which is compatible with the Martin Luther King Jr. Hospital, King-Drew Medical Magnet High School, and the Participant; and
- G. WHEREAS, the exclusion of portions of the Project Site, as described above, is consistent with the Willowbrook Community Redevelopment Plan objectives to ensure a compatible relationship between the needs of the community and the objectives of the Martin Luther King, Jr. Hospital and Participant's Medical School complex.

NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS HEREIN AND THE MUTUAL BENEFITS TO BE DERIVED THEREFROM, THE COMMISSION AND THE PARTICIPANT HEREBY AGREE AS FOLLOWS:

Section 1. The purpose of this Fourth Amendment to the Participant's OPA is to exclude from a portion of the Project Site, Phase II, "Sales Property", specifically Lots 3 and 4 of Tract No. 18356, Map Book 535, Page 17.

Terms used in this Fourth Amendment to the Participant's OPA, shall have the same meaning as those terms used in the Participant's OPA, as previously amended.

Section 2. The Participant's OPA, including but not limited to, Attachment 4, Scope of Development, is hereby amended as follows: All references to Phase II, the "Sales Property" as it pertains to Lots 3 and 4, Tract No. 18356, Map Book 535, Page 17, is hereby deleted from the Participant's OPA, including but not limited to, Scope of Development.

Section 3. Except as specifically set forth in this Fourth Amendment to the Participant's OPA, all other provisions of the Participant's OPA, as previously amended, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this Fourth Amendment to the Participant's OPA between the parties hereto be executed by their respective duly authorized representatives as of the first date set forth above.

APPROVED AS TO PROGRAM:

COMMUNITY DEVELOPMENT COMMISSION
OF THE COUNTY OF LOS ANGELES

CHARLES R. DREW
POST-GRADUATE MEDICAL
SCHOOL

By: _____
Director of Economic/Redevelopment

By: _____

Title: Interim President
Charles R. Drew University of
Medicine and Science

APPROVED AS TO FORM:
OFFICE OF THE COUNTY COUNSEL

COMMUNITY DEVELOPMENT
COMMISSION OF THE COUNTY
OF LOS ANGELES

By: _____
Deputy

By: _____
Executive Director

LEGAL DESCRIPTION OF THE SITE

The following real property is situated in the County of Los Angeles, State of California:

Lot 3 of Tract No. 18356, in the County of Los Angeles, State of California, as per map recorded in Book 535 Page 17 of Maps, in the Office of the County Recorder of said County.

Excepting all oil, hydrocarbon substances and minerals of every kind and character lying more than 500 feet below the surface of said land, together with the right to drill into, through, and to use and occupy all parts of said land lying more than 500 feet below the surface thereof for any and all purposes incidental to the exploration for and production of oil, gas, hydrocarbon substances or minerals from said lands but without, however, the right to use either the surface of said land or any portion of said land within 500 feet of the surface for any purpose or purposes whatsoever, as reserved by Ramon Rodriguez and Maria Del Rosario Perez Rodriguez, husband and wife, as joint tenants, as to an undivided one-half interest, and Isidrio Juarez and Maria E. Juarez, husband and wife, as joint tenants, as to an undivided one-half interest, by deed recorded August 20, 1987 as Instrument No. 87-1327516.

Lot 4 of Tract No. 18356, in the County of Los Angeles, State of California, as per map recorded in Book 535 Page 17 of Maps, in the Office of the County Recorder of said County.

Excepting all oil, hydrocarbon substances and minerals of every kind and character lying more than 500 feet below the surface of said land, together with the right to drill into, through, and to use and occupy all parts of said land lying more than 500 feet below the surface thereof for any and all purposes incidental to the exploration for and production of oil, gas, hydrocarbon substances or minerals from said lands but without, however, the right to use either the surface of said land or any portion of said land within 500 feet of the surface for any purpose or purposes whatsoever, as reserved by Florence Ree Kendall, a single woman, by deed recorded June 19, 1987 as Instrument No. 87-974000.